

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EDWARDS LIFESCIENCES AG and)
EDWARDS LIFESCIENCES LLC,)
Plaintiffs,)
v.) C.A. No. 08-91 (GMS)
COREVALVE, INC. and MEDTRONIC)
COREVALVE LLC,)
Defendants.)

PLAINTIFFS' PROPOSED VERDICT FORM

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April 1, 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EDWARDS LIFESCIENCES AG and
EDWARDS LIFESCIENCES LLC,

Plaintiffs,

v.

COREVALVE, INC. and
MEDTRONIC COREVALVE, LLC

Defendants.

C.A. No. 08-091-GMS

VERDICT FORM

We, the jury, having duly deliberated on the evidence presented by the parties,
answer the interrogatories posed by the Court as follows:

I. PATENT INFRINGEMENT

QUESTION 1:

Has Edwards proven by a preponderance of the evidence that the CoreValve Generation 3 ReValving System literally infringes Claim 1 of the '552 Patent?

YES _____ (for Edwards) NO _____ (for CoreValve)

If you answered "yes" to Question 1, go to Question 3.

If you answered "no" to Question 1, go to Question 2.

QUESTION 2:

Has Edwards proven by a preponderance of the evidence that the CoreValve Generation 3 ReValving System infringes Claim 1 of the '552 Patent under the Doctrine of Equivalents?

YES _____ (for Edwards) NO _____ (for CoreValve)

If you answered "yes" to Question 2, go to Question 3.

If you answered "no" to both Questions 1 and 2, go to Question 4.

II. WILLFUL PATENT INFRINGEMENT

QUESTION 3:

Has Edwards proven by clear and convincing evidence that CoreValve's infringement of Claim 1 of the '552 Patent was willful?

YES _____ (for Edwards) NO _____ (for CoreValve)

Please go to Question 4.

III. PATENT VALIDITY

QUESTION 4:

Has CoreValve proven by clear and convincing evidence that Claim 1 of the '552 Patent is invalid because it is not enabled?

YES _____ (for CoreValve)

NO _____ (for Edwards)

Please go to Question 5.

IV. EDWARDS' DAMAGES

If you found that CoreValve has infringed Claim 1 of the '552 Patent (either literally or under the Doctrine of Equivalents), and that CoreValve did not prove that Claim 1 of the '552 Patent is invalid, you must decide the amount of damages adequate to compensate Edwards for CoreValve's infringement.

QUESTION 5:

If you believe that Edwards has proven by a preponderance of the evidence that it is entitled to lost profits for a portion of CoreValve's infringing sales, please enter the amount of lost profits:

Answer: \$ _____

QUESTION 6:

For those CoreValve infringing sales for which you did not award Edwards lost profits, what is the amount of reasonable royalty to which Edwards is entitled?

Answer: \$ _____

Dated: April __, 2010

Foreperson

CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2010 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

John W. Shaw, Esquire
YOUNG CONAWAY STARGATT & TAYLOR, LLP

I further certify that I caused copies of the foregoing document to be served on April 1, 2010 upon the following in the manner indicated:

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